

## **MINUTES**

### **MONTANA SENATE 65th LEGISLATURE - REGULAR SESSION**

#### **COMMITTEE ON FINANCE AND CLAIMS**

**Call to Order:** Chair Llew Jones, on March 14, 2017 at 8:00 AM, in Room 317 Capitol

#### **ROLL CALL**

**Members Present:**

Sen. Llew Jones, Chair (R)  
Sen. Frederick (Eric) Moore, Vice Chair (R)  
Sen. Duane Ankney (R)  
Sen. Mary Caferro (D)  
Sen. Terry Gauthier (R)  
Sen. David Howard (R)  
Sen. Douglas (Doug) Kary (R)  
Sen. Bob Keenan (R)  
Sen. Mike Lang (R)  
Sen. Mary McNally (D)  
Sen. Albert Olszewski (R)  
Sen. Ryan Osmundson (R)  
Sen. Mike Phillips (D)  
Sen. Jon C. Sesso (D)  
Sen. Cary Smith (R)  
Sen. Jeffrey W. Welborn (R)  
Sen. Lea Whitford (D)  
Sen. Cynthia Wolken (D)

**Members Excused:** None

**Members Absent:** None

**Staff Present:** Prudence Gildroy, Committee Secretary  
Julie Johnson, Legislative Branch  
Kris Wilkinson, Legislative Branch

**Audio Committees:** These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

#### **Committee Business Summary:**

Hearing & Date Posted: HB 539, 3/9/2017; HB 17, 3/9/2017; HB 175, 3/9/2017;  
HB 209, 3/9/2017; SB 341, 3/10/2017

Executive Action: HB 175 Be Concurred In; HB 539 Be Concurred In As Amended; SB 341 Do Pass As Amended; SB 57 Do Pass; SB 94 Be Amended and grey bill requested

**HEARING ON HB 539**

**Opening Statement by Sponsor:**

00:01:26 Rep. Rob Cook (R), HD 18, opened the hearing on HB 539, Limiting carryforward appropriations.

**Proponents' Testimony:** None

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:** None

**Closing by Sponsor:**

00:02:29 Rep. Cook

**HEARING ON HB 17**

**Opening Statement by Sponsor:**

00:03:10 Rep. Ron Ehli (R), HD 86, opened the hearing on HB 17, Increase HCBS waiver slots and assisted living reimbursement rates.

**Proponents' Testimony:**

00:06:57 Rose Hughes, Montana Health Care Association (MHCA)  
[EXHIBIT\(fcs53a01\)](#)

00:08:14 Sen. Olszewski left the meeting.  
00:09:39 Nick Hart, Alzheimers Association  
00:11:34 Jacquie Hilt, SEIU 775  
00:13:38 Brenda Dahl, Montana Community Services  
00:15:34 Fran Viereck, representing herself  
[EXHIBIT\(fcs53a02\)](#)

00:19:04 Casey Blumenthal, Montana Hospital Association  
00:20:15 Tony Simonsen, Home Park Assisted Living (HPAL)  
00:24:04 Sen. Smith left the meeting.  
00:24:12 Lauri Yelenich, Big Sky Senior Living  
[EXHIBIT\(fcs53a03\)](#)

00:27:28 Jessie Luther, Benefis Health System  
00:28:08 Claudia Clifford, AARP Montana  
[EXHIBIT\(fcs53a04\)](#)

00:29:58 Beth Brenneman, Disability Rights Montana

00:31:09 Jean Branscum, Montana Medical Association  
 00:32:02 Connie Klotz, Masonic Home of Montana  
 00:33:01 Sen. Osmondson left the meeting.  
 00:34:06 Sheri Maharg, Aspen Gardens  
 00:36:23 Lynn Mullowney, Alzheimers Association  
 00:39:01 Hazel Noonan, Caslen Living Centers

**Opponents' Testimony:**

00:41:42 Dan Villa, budget director, Office of Budget and Program Planning (OBPP)

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

00:45:04 Sen. Whitford  
 00:45:47 Rep. Ehli  
 00:46:59 Sen. Whitford  
 00:47:10 Mr. Simonsen, HPAL  
 00:47:24 Sen. Whitford  
 00:47:27 Mr. Simonsen  
 00:47:32 Sen. Whitford  
 00:48:02 Rep. Ehli  
 00:49:01 Sen. Welborn left the meeting.  
 00:51:31 Sen. Sesso  
 00:51:58 Rep. Ehli  
 00:52:49 Sen. Sesso  
 00:53:36 Rep. Ehli  
 00:53:58 Sen. Wolken  
 00:54:23 Rep. Ehli  
 00:55:17 Sen. Caferro  
 00:55:43 Ms. Hughes, MHCA  
 00:57:23 Sen. Caferro  
 00:57:41 Ms. Hughes  
 00:59:37 Sen. Sesso  
 01:00:05 Mr. Villa, OBPP  
 01:03:28 Sen. Sesso  
 01:03:49 Mr. Villa  
 01:03:56 Sen. Caferro  
 01:05:29 Ms. Clifford, AARP  
 01:06:34 Sen. Caferro  
 01:06:56 Ms. Clifford

**Closing by Sponsor:**

01:07:23 Sen. Ehli  
 01:09:46 Sen. Smith joined the meeting.

**HEARING ON HB 175**

**Opening Statement by Sponsor:**

01:12:04 Rep. Jim Hamilton (D), HD 61, opened the hearing on HB 175, Revise laws related to medical savings accounts.

[EXHIBIT\(fcs53a05\)](#)

**Proponents' Testimony:**

01:18:25 Jane Amdahl, AARP Montana

[EXHIBIT\(fcs53a06\)](#)

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

01:20:49 Sen. Phillips  
01:21:19 Rep. Hamilton  
01:21:56 Chair Jones  
01:22:07 Rep. Hamilton  
01:23:38 Chair Jones  
01:24:05 Rep. Hamilton

**Closing by Sponsor:**

01:24:37 Rep. Hamilton

**HEARING ON HB 209**

**Opening Statement by Sponsor:**

01:26:13 Rep. Barry Usher (R), HD 40, opened the hearing on HB 209, Extend funding to Coal Board.

[EXHIBIT\(fcs53a07\)](#)

**Proponents' Testimony:**

01:29:28 Jim Atchison, executive director, Southeastern Montana Development Corporation

[EXHIBIT\(fcs53a08\)](#)

01:31:35 Bob Gilbert, City of Colstrip, City of Glendive, Musselshell, Rosebud and Phillips Counties

01:33:16 Ann Hedges, Montana Environmental Information Center

**Opponents' Testimony:**

01:34:24 Doug Mitchell, interim director, Department of Commerce (COM)

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

01:37:37 Sen. Moore  
01:37:46 Mr. Mitchell, COM  
01:38:30 Sen. Moore  
01:38:40 Mr. Mitchell  
01:39:03 Sen. Whitford  
01:39:22 Mr. Mitchell  
01:39:48 Sen. Whitford  
01:40:02 Kris Wilkinson, Legislative Fiscal Division (LFD)  
01:40:33 Sen Whitford  
01:40:43 Chair Jones  
01:41:12 Sen. Whitford  
01:41:19 Chair Jones

**Closing by Sponsor:**

01:41:37 Rep. Usher  
[EXHIBIT\(fcs53a09\)](#)

01:43:19 Chair Jones  
01:43:29 Rep. Usher

1:44:20 Sen. Sesso assumed the duties of Chair.

**HEARING ON SB 341**

**Opening Statement by Sponsor:**

01:44:53 Sen. Llew Jones (R) SD 9, cosponsor, representing Albert Olszewski (R), SD 6, opened the hearing on SB 341, Establish contract requirements for the WWAMI program.

**Proponents' Testimony:**

01:51:47 Dick Brown, Montana Hospital Association  
01:54:16 Jean Branscum, Montana Medical Association  
02:00:26 Tyler Trevor, deputy commissioner, Office of Commissioner of Higher Education (OCHE)

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

02:01:25 Sen. Wolken  
 02:02:01 Sen. Olszewski joined the meeting.  
 02:02:04 Sen. Jones  
 02:03:29 Sen. Olszewski  
 02:03:58 Sen. Whitford  
 02:04:38 Sen. Jones  
 02:06:29 Sen. Whitford  
 02:06:54 Mr. Trevor, OCHE  
 02:07:38 Sen. Whitford  
 02:08:22 Sen. Olszewski

**Closing by Sponsor:**

02:09:18 Sen. Jones  
  
 02:09:28 Sen. Jones assumed the duties of Chair.  
 02:10:09 Chair Jones  
 02:12:30 Sen. Olszewski  
 02:12:50 Chair Jones  
 02:15:02 Sen. Sesso  
 02:15:07 Chair Jones  
  
 02:16:09 Recess  
  
 Sen. Caferro and Sen. McNally left the meeting.  
  
 02:37:54 Reconvene  
  
 Sen. Osmundson joined the meeting.

**EXECUTIVE ACTION ON HB 175**

02:38:56 **Motion:** Sen. Sesso moved that **HB 175 BE CONCURRED IN.**

**Discussion:**

02:39:18 Chair Jones  
  
 02:39:41 **Vote:** Motion carried unanimously by voice vote. Sen. Caferro, Sen. McNally and Sen. Welborn voted by proxy. Sen. Smith will carry the bill.

**EXECUTIVE ACTION ON HB 539**

02:40:36 **Motion:** Sen. Moore moved that **HB 539 BE CONCURRED IN.**

02:40:47 **Motion:** Sen. Osmundson moved that **HB 539 BE AMENDED.**  
[\*\*EXHIBIT\(fcs53a10\)\*\*](#)

**Discussion:**

02:40:51 Sen. Osmundson

Sen. McNally joined the meeting.

02:41:12 **Vote:** Motion carried unanimously by voice vote of those present and voting.

02:41:23 **Motion/Vote:** Sen. Moore moved that **SB 341 BE CONCURRED IN AS AMENDED**. Motion carried unanimously by voice vote. Sen. Caferro and Sen. Welborn voted by proxy. Sen. Osmundson will carry the bill.

**EXECUTIVE ACTION ON SB 341**

02:41:55 **Motion:** Sen. Moore moved that **SB 341 DO PASS**.

02:42:01 **Motion:** Sen. Olszewski moved that **SB 341 BE AMENDED**.  
[EXHIBIT\(fcs53a11\)](#)

**Discussion:**

02:42:29 Sen. Olszewski

02:42:38 **Vote:** Motion carried unanimously by voice vote of those present and voting.

02:42:46 **Motion/Vote:** Sen. Moore moved that **SB 341 DO PASS AS AMENDED**. Motion carried unanimously by voice vote. Sen. Caferro and Sen. Welborn voted by proxy.

**EXECUTIVE ACTION ON SB 57**

02:43:14 **Motion/Vote:** Sen. Moore moved that **SB 57 DO PASS**. Motion carried 16-2 by voice vote with Sen. Keenan and Sen. C. Smith voting no. Sen. Caferro and Sen. Welborn voted by proxy.

**EXECUTIVE ACTION ON SB 94**

02:44:17 **Motion/Vote:** Sen. Moore moved to **RECONSIDER ACTION** on **SB 94**. Motion carried 15-1 by voice vote with Sen. Wolken voting no. Sen. Caferro and Sen. Welborn were excused.

02:44:51 **Motion:** Sen. Moore moved that **SB 94 DO PASS**.

**Discussion:**

02:44:59 Chair Jones  
[EXHIBIT\(fcs53a12\)](#)

02:45:25 Sen. Kary

02:45:29 Chair Jones

02:45:34 Kris Wilkinson, Legislative Fiscal Division (LFD)  
 02:45:58 Sen. Kary  
 02:46:10 Chair Jones  
 02:46:14 Sen. Moore clarified his motion to be Do Pass As Amended.  
 02:46:31 Sen. McNally  
 02:46:39 Ms. Wilkinson, LFD  
 02:46:49 Sen. McNally  
 02:47:01 Chair Jones  
 02:47:19 Ms. Wilkinson  
 02:47:46 Sen. Sesso  
 02:50:07 Chair Jones  
 02:50:30 Sen. Sesso  
 02:50:51 Chair Jones  
 02:51:17 Sen. Sesso  
 02:52:18 Sen. McNally  
 02:52:42 Sen. Lang  
 02:52:58 Chair Jones  
 02:53:08 Sen. Phillips  
 02:53:18 Sen. Sesso  
 02:54:34 Chair Jones  
 02:55:00 Ms. Wilkinson  
 02:55:42 Sen. Sesso  
 02:57:09 Ms. Wilkinson  
 02:58:08 Chair Jones  
 02:58:17 Sen. Sesso  
 02:58:25 Ms. Wilkinson  
 02:58:48 Sen. Sesso  
 02:59:20 Sen. Kary  
 02:59:23 Chair Jones  
 02:59:32 Sen. Sesso  
 03:00:07 Ms. Wilkinson  
 03:00:13 Sen. Sesso  
 03:00:34 Ms. Wilkinson  
 03:00:53 Chair Jones  
  
 03:01:02 **Motion/Vote:** Sen. Moore moved that **SB 94 BE AMENDED**. Motion carried  
 unanimously by voice vote of those present and voting.  
*(Note: Amendment documented a conceptual amendment in executive action on  
 3/8/2017)*

**EXHIBIT(fcs53a13)**

**Discussion;**

03:01:51 Ms. Wilkinson  
 03:03:07 Sen. Sesso  
 03:03:23 Ms. Wilkinson  
 03:04:01 Sen. Moore  
 03:04:26 Sen. Kary  
 03:04:36 Chair Jones  
 03:04:50 Sen. Sesso



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03:05:36 Chair Jones

03:05:42 Sen. Moore withdrew his Do Pass As Amended motion.

03:06:18 Chair Jones

*(Note: a grey bill was requested and SB 94 remained in committee.)*

**ADJOURNMENT**

Adjournment: 11:06 AM

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Prudence Gildroy, Secretary

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Additional Documents:

**EXHIBIT**([fcs53aad.pdf](#))